

Welcome to the Legislative Update for May 14, 2010

This e-mail is provided as a courtesy of the Governor's Advisory Council on Aging. The purpose of this service is to keep Arizona's seniors and advocates for aging services informed about bills and actions taking place at the Arizona State Legislature and to highlight Congressional bills or happenings affecting older Americans. Between legislative sessions, the Legislative Update is provided monthly with a federal focus. Information provided is intended to help you shape your own opinion about an issue and to give you the necessary resources and contacts so that you can ensure your perspective and voice are heard. *The Legislative Update is non-partisan in nature.* Thank you for your interest!

GENERAL OVERVIEW

Wrap up of the 49th Legislature 2nd Regular Session

Bills posted this session: 1,233; bills passed: 352; bills signed by the Governor: 338; bills vetoed: 14.

Bills signed by the Governor since the legislature adjourned that *may* be of interest with fact sheet summaries from the Arizona State Legislatures website:

HB 2195: Charitable Organizations; Instant Ticket Games

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2195_04-21-10_astransmittedtogovernor.doc.htm

HB 2243: Tourism; TPT; Distribution; Reinstatement

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2243_04-20-10_astransmittedtogovernor.doc.htm

HB 2251: Historical Society; Transfer; Centennial Museum

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2251_04-29-10_astransmittedtogovernor.doc.htm

HB 2260: Regulatory; Rule Making

<http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/s.2260gov.doc.htm>

HB 2405: Emergency Medical Services Council

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2405_04-21-10_astransmittedtogovernor.doc.htm

HB 2434: Traffic Complaints; Social Security Number

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2534_4-28-10_astransmittedtogovernor.doc.htm

HB 2536: License Plate Obstruction: Wheelchair Holders

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.hb2536_4-19-10_astransmittedtogovernor.doc.htm

SB1255: Health Professionals; Advertising; Disclosure

http://www.azleg.gov/FormatDocument.asp?inDoc=/legtext/49leg/2r/summary/h.sb1255_04-15-10_astransmittedtogovernor.doc.htm

Links to bill action by the Governor can be found under *Latest News* at:

<http://www.azgovernor.gov/>

Today, the Governor announced energy efficiency and conservation block grants to local governments. For more information:

http://www.azgovernor.gov/dms/upload/PR_051410_BrewerAnnouncesEnergyEfficiency.pdf

The Joint Legislative Budget Committee (JLBC) April 2010 issue of *JLBC Monthly Fiscal Highlights* states: Year-to-date revenues are (14.1)% below the prior year, and \$(30.4) million below the enacted budget forecast. To access the report, go to: <http://www.azleg.gov/jlbc/mfh-apr-10.pdf>

JLBC Ballot *Fiscal Impact Summary* statement regarding Proposition 100 can be found at: <http://www.azleg.gov/jlbc/10mayprop100sum.pdf>

The Governor's Advisory Council on Aging has voted to support the passage of Proposition 100 based on the negative impact to our state's vulnerable populations should it not pass.

To view the legislation tracked by the Council on Aging during the 2nd Regular Session, click on the list below:

FULL LIST:

<http://www.azcapitolreports.com/webreport.cfm?webreport=24520&listid=40701&print=true>

Note: Information about bill status, hearing, etc. is a purchased service provided by the *Arizona Capitol Times*.

Please be advised that the presence of a bill on the Council's tracking list **does not** represent support or opposition by the Council to that bill. It does mean that the bill

topic was something that may be of interest to or have an impact on Arizona seniors so the Council tracked the bills progress.

If you have a particular perspective to share *at any time*, you can voice your opinions to:

The **Governor's Office of Constituent Services** at **602-542-4331** or toll-free at **800-253-0883**

Or you may contact the Legislator from your area. You can locate your legislator by going to the **Arizona State Legislature** website <http://www.azleg.gov/> and looking for: *How do I find My Legislators* or by following the instructions provided at both the Senate and House Member links at the website.

FEDERAL LEGISLATION:

H.R. 5290

More Doctors, More Choices Act of 2010

Introduced on 5/12/2010 by Representative Gabrielle Giffords, the bill is cosponsored by Representative Michael C. Burgess (TX-26) and Representative John B. Larson (CT-1).

The intent of the bill is to permit physicians and suppliers a new election to become Medicare participating physician s and suppliers if Medicare physician fee schedule rates are extended.

In General- Notwithstanding any other provision of law, if a Medicare SGR extension law is enacted during the 111th Congress, the Secretary of Health and Human Services shall permit a physician or supplier who furnishes (or may furnish) services for which payment is made under the Medicare physician fee schedule (or would be so made but for a contract under section 1802(b) of the Social Security Act) and is not a Medicare participating physician or supplier to elect to become such a Medicare participating physician or supplier.

Election Process

(1) shall occur during a period specified by the Secretary of not less than 30 days beginning not later than 30 days after the date of the enactment of the Medicare SGR extension law;

(2) shall be made through a process that is consistent with the existing open enrollment process under which physicians and suppliers otherwise make a participation election; and

(3) shall become effective for items and services furnished on or after the date that is 15 days after the last date of the election period under paragraph (1).

Treatment of Private Contracts

In the case of a physician or practitioner who has entered into a contract under section 1802(b) of the Social Security Act (42 U.S.C. 1395a(b)) that is in effect as of the date of the enactment of the Medicare SGR extension law (or this Act, if later) and who makes an election to be a Medicare participating physician or supplier under this section during the election period under subsection (b)(1)

(1) such election shall not apply to the contract until the date of the contract would otherwise terminate without regard to this subsection, unless the Medicare beneficiary involved terminates the contract through timely notice to the physician or practitioner; and

(2) notwithstanding such section 1802(b), the 2-year limitation imposed under the affidavit described in paragraph (3)(B)(i) of such section shall not apply to services furnished as a participating physician or supplier pursuant to such election.

Definitions- In this section:

(1) MEDICARE PARTICIPATING PHYSICIAN OR SUPPLIER- The term `Medicare participating physician or supplier' has the meaning given the term participating physician or supplier in section 1842(h)(1) of the Social Security Act (42 U.S.C. 1395u(h)(1)).

(2) MEDICARE PHYSICIAN FEE SCHEDULE- The term `Medicare physician fee schedule' means the payment schedule under section 1848 of the Social Security Act (42 U.S.C. 1395w-4).

(3) MEDICARE SGR EXTENSION LAW- The term `Medicare SGR extension law' means a law that extends or revises for at least 1 year the amount of the conversion factor under section 1848(d) of the Social Security Act (42 U.S.C. 1395w-4(d)) so that it is not lower than the conversion factor for May 2010.

(4) SECRETARY- The term `Secretary' means the Secretary of Health and Human Services.

On 5/12/2010, H.R. 5290 was the Committee on Energy and Commerce in addition to the Committee on Ways and Means.

If you want more information specific to this or any federal legislation, go to the Thomas website: <http://www.thomas.gov/> and enter the bill number or description under *Search Bill Summary & Status*.

Contact Your Congressional Member: If you are interested in Congressional bills or wish to share your thoughts or concerns, find out how to contact your congressional representatives by visiting: <http://www.house.gov/> for members of the House or <http://www.senate.gov/> for members of the Senate.

Other News:

From the Centers for Disease Control and Prevention (CDC)

The CDC recently released a report entitled *Trends in Health Status and Health Care Use among Older Men* that complements a previous report focusing on the health status and health care of older women.

To read the new report, go to:

<http://www.cdc.gov/nchs/data/nhsr/nhsr024.pdf>

To read the 2007 report on the health status and health care of older women, go to:

<http://www.cdc.gov/nchs/data/ahcd/agingtrends/07olderwomen.pdf>

From the Congressional Research Service

Public Health, Workforce, Quality, and Related Provisions in the Patient Protection and Affordable Care Act (P.L. 111-148)

<http://www.azgovernor.gov/gaca/Newsletter/CRSReportHealthCareReform.pdf>

May is Older Americans Month and the National Council on Aging (NCOA) is reminding seniors to check on available benefits through BenefitsCheckUp, a free online screening tool.

For more information, go to:

<http://www.benefitscheckup.org/index.cfm?link=AZL>

Governor Brewer has issued a proclamation recognizing older adults in Arizona as among our most treasured resources. The proclamation is provided here:

<http://www.azgovernor.gov/gaca/Newsletter/2010Proc.pdf>

From the UCLA Center for Health Policy Research

Falls and follow-ups: Medical attention following a fall critical to senior health

http://www.eurekalert.org/pub_releases/2010-05/uoc--faf051310.php

From the National Institutes of Health (NIH)

Information on gum disease at NIHSeniorHealth.gov

[Information on Gum Disease Now Available on NIHSeniorHealth.gov](#)

Critical Illness and Injury in Aging (R01)

Four Institutes of NIH have joined in soliciting applications designed to study mechanisms and management of critical illness and injury, including trauma and neurotrauma, in aging.

Deadlines: July 5, November 5, 2010.

For information, go to: <http://grants.nih.gov/grants/guide/pa-files/PA-10-042.html>

From AARP

AARP Public Policy Institute has released a series of resources that discuss housing challenges and explores three strategies that can be used to help meet changing need as the population ages. To review *Strategies to Meet the Housing Needs of Older Adults* report, go to:

<http://assets.aarp.org/rqcenter/ppi/liv-com/i38-strategies.pdf>

Information & Resources:

WHAT: Federal Funding for Individual Development Accounts; cosponsored by the U.S. Department of Health and Human Services, Office of Community Services, U.S. Department of Housing and Urban Development, Federal Reserve Bank of San Francisco, Federal Home Loan Banks of San Francisco, Federal Deposit Insurance Corporation and the Arizona Community Action Association.

WHEN: June 9, 2010 1:00 pm - 5:00 pm and June 10, 2010 8:00 am - 3:00 pm, Phoenix HUD Field Office, One North Central Avenue, Suite 600, Phoenix, AZ 85004

The workshop is **free but advance registration is required**. For more information: <http://www.azgovernor.gov/gaca/Newsletter/AFIIDAPhoenixWorkshopFlyer.pdf>

The Governor's Office on Aging is pleased to be a Co-Sponsor of new afternoon community sessions at the **Arizona Alzheimer's Consortium 2010 Annual Conference**. The afternoon sessions include a presentation by Dr. David Coon on Enhancing Well-being for Care Partners, a Resource Panel providing information on how best to access resources, legal and financial planning, long-term care housing options and support services. The afternoon will conclude with an Alzheimer's Priority Forum offering all participants the opportunity to provide direct input and feedback.

WHEN: Friday, May 21, 2010, 8:00 am to 5:00 pm Renaissance Glendale Hotel & Spa, 9495 W. Coyotes Blvd., Glendale AZ

DEADLINE FOR REGISTRATION is Tuesday, May 19, 2010!

Register online at <http://www.azalz.org/> or call 480-440-7177

If you would like to submit an educational or public service event for consideration, you can do so by sending an email with the description to: gaca@az.gov . Please note: we try to include events of interest to older Arizonans and aging service advocates.

Note: Now that the 2nd Regular Session has ended, the Legislative Update is being provided *monthly*.

Thank you! Have a good summer!

~Governor's Advisory Council on Aging